

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WESTPORT INSURANCE
CORPORATION,

Plaintiff

v.

RICHARD C. HEIDLAGE; KOTIN,
CRABTREE AND STRONG, LLP;
CHARLES N. ZALIS; and NORTH
AMERICAN UNDERWRITING
MANAGERS, INC.,

Defendants.

Case No. 1:05 cv 11780 NMG

NOTICE OF DISMISSAL OF CHARLES N. ZALIS

Westport Insurance Corporation ("Westport") serves this Notice of Dismissal of Charles N. Zalis pursuant to Fed.R.Civ.P. 41(a)(1), and in support states as follows:

1. This is an insurance coverage declaratory judgment action concerning Westport's duty to defend and indemnify defendant Richard C. Heidlage in an action filed against him by defendants Charles N. Zalis and North American Underwriting Managers, Inc., in the Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida.

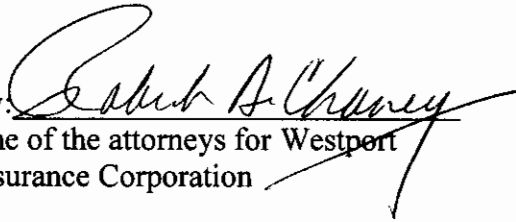
2. Charles N. Zalis has not entered an appearance in this action or filed a response to the Complaint.

3. Westport's attorneys received a letter dated November 8, 2005, from the attorney for Charles N. Zalis, which states that Mr. Zalis will not be proffering a defense in this action. Attached hereto is a true and accurate copy of said letter.

4. Accordingly, Westport serves this notice pursuant to Fed.R.Civ.P. 41(a)(1), for dismissal, without prejudice, of Charles N. Zalis.

Respectfully submitted,

Westport Insurance Corporation

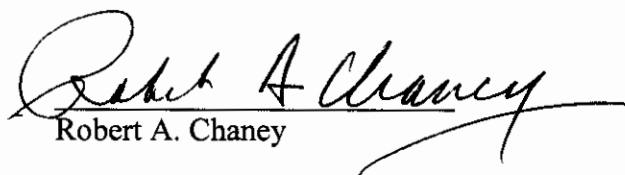
By: 
One of the attorneys for Westport
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CERTIFICATE OF SERVICE

I, Robert A. Chaney, certify that on December 1, 2005, the foregoing Westport Insurance Corporation's Notice of Dismissal of Charles N. Zalis, was served on counsel below by U.S. First Class Mail, postage prepaid.


Robert A. Chaney

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November 8, 2005

VIA FACSIMILE

Robert A. Chaney, Esq.
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Re: Westport Insurance Company v Richard C. Heidlage, et al
Case No.: 05 CV 11780 NMG

Dear Mr. Chaney:

I write on behalf of Charles Zalis in response to your letter dated November 4, 2005.
Please be advised that Mr. Zalis will not be proffering a defense in the above-styled matter.

Sincerely,



Richard M. Bales, Jr.

RMBJR/kib

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